

**REMARKS**

Claims 1-5 and 7-17 are pending in the present application. Claim 6 has been canceled and its limitations have been incorporated into independent claim 1.

***Rejection of Claims: 35 USC 103***

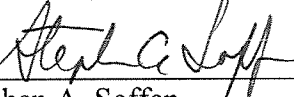
The examiner rejects claims 1, 2, 4, 5, 16 and 17 under 35 USC 103 (a) as being unpatentable over Hardy et al, US 6240308 B1 and further in view of Automatic segmentation of 3D-MRI data using a genetic algorithm, R. Moller, R. Zeipelt, Medical Imaging and Augmented Reality, 2001, Proceedings, International Workshop on, 10-12 June 2001 Page(s): 278-281.

***Allowable Subject Matter***

The applicant acknowledges with appreciation the indication that claims 6 - 15 recite patentable subject matter and would be allowable if rewritten in independent form to include all of the features of its base claim. Independent claim 1 has been amended to include the patentable subject matter of claim 6. Therefore, independent claim 1 as amended is patentably distinguished over the cited art, and applicant respectfully submits that the application is in condition for allowance.

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Respectfully submitted,

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